

On Wednesday, March 22, 2017, at 8:31 a.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

CALL TO ORDER

Mayor Whaley called the meeting to order.

INVOCATION

Commissioner Joseph gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Whaley led the public in the Pledge of Allegiance.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

APPROVAL OF MINUTES

Commissioner Mims made the motion to approve the minutes from the March 15, 2017, meeting.

Commissioner Williams seconded the motion. The previous meeting minutes were unanimously approved.

COMMUNICATIONS AND PETITIONS

Communication #21203

State of Ohio, Department of Liquor Control – Permit Application D1, D2 Permit #8395263 – South Park Ventures Inc., DBA South Park Pizza Tavern, Storage Area & Walk In Cooler, 1301 Wayne Avenue, 1st Floor and Patio, Dayton, Ohio 45410.

The Clerk of Commission reported receipt of Permit Application D1, D2 Permit #8395263 – South Park Ventures Inc., DBA South Park Pizza Tavern, Storage Area & Walk In Cooler, 1301 Wayne Avenue, 1st Floor and Patio, Dayton, Ohio 45410. The application was referred through the City for investigation.

Communication #21204

Greater Dayton Premier Management - Residential Rental Development – 700 Mount Crest Court, Dayton, Ohio 45403.

Communication #21205

Episcopal Retirement Services Affordable Living LLC - Residential Rental Development – 3122 Salem Avenue, Dayton, Ohio 45406.

Communication #21206

St. Mary Development Corporation – McBride Place – Residential Rental Development – 4100 West Third Street, Dayton, Ohio 45428.

Communication #21207

State of Ohio, Department of Liquor Control – Permit Application D5 Permit #2681198 – Luke Feerer DBA Tower Food and Spirits, 121 North Ludlow Street, Dayton, Ohio 45402.

The Clerk of Commission reported receipt of Permit Application D5 Permit #2681198 – Luke Feerer DBA Tower Food and Spirits, 121 North Ludlow Street, Dayton, Ohio 45402. The application was referred through the City for investigation.

SPECIAL AWARDS/PRESENTATIONS

The City Manager, Ms. Shelley Dickstein, discussed the City's service pin program; awarded at five-year intervals of City service. Service pins have been presented to all eligible employees and will be awarded on a regular basis as employees reach milestones of service. The City Manager presented Mayor Whaley and Commissioner Joseph with ten-year service pins, and presented Commissioner Williams with a fifteen-year service pin. Mayor Whaley thanked Ms. Dickstein and noted that Commissioner Williams not only has fifteen years of service with the City of Dayton but also eight years with the Dayton School Board, making him one of Dayton's longest service elected officials with twenty-three years of service.

ADDITIONS OR DELETIONS TO THE CALENDAR

The Clerk of Commission, Ms. Rashella Lavender, requested the addition of Emergency Ordinance No. 31555-17 regarding the acceptance of the Montgomery County Fairgrounds Property for the purposes of redevelopment.

The City Manager, Ms. Shelley Dickstein, requested the deletion of Calendar Item No. 2 Service Agreement with 7NT Enterprises, LLC.

REPORTS:

A. Purchase Orders, Price Agreements and Contracts:
(All contracts are valid until delivery is complete or through December 31st of the current year).

1. Purchase Orders:

FIRE

A1. Lebanon Ford, Inc. (two mid-sized four-wheel drive sport utility vehicles)	\$52,390.00
A2. Montgomery County (radio communications user fees as needed through 12-31-18)	205,360.00

1.

A3. Sub Aquatics, Inc. dba Breathing Air Systems (Breathing air system)	39,920.95
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POLICE

B1. Kiesler Police Supply (body armor as needed through 12-31-18)	134,096.00
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PUBLIC WORKS

C1. Walt Sweeney Ford, Inc. (one Ford F-250 pickup truck)	28,141.16
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WATER

D1. Perkinelmer Health Sciences, Inc. (laboratory equipment and maintenance services as needed through 12-31-19)	44,000.00
D2. State of Ohio (annual sewage, sludge and landfill permit fees)	24,402.78
D3. Alfa Laval, Inc. (two centrifuge rotating assemblies)	530,000.00
D4. Walt Sweeney Ford, Inc. (one Ford F-250 pickup truck extended cab with lift-gate and accessories)	38,000.00
-Depts. of Fire, Police, Public Works, and Water.	Total: \$1,096,310.89

2. **7NT Enterprises, LLC – Service Agreement** – for the Wayne Avenue Reconstruction, Wyoming Street Reconstruction, 2017 Bus Pad Replacement, Third Street Safety Improvements, and Merchants Row TE Agreement for Consulting Services – Dept. of Public Works/Civil Engineering.
\$14,720.00
(Thru 12/31/19)
3. **Signature Technologies, Inc. dba Com-Net – Service Agreement** – to upgrade the Airport’s current Flight Information Display Systems and Digital Paging software – Dept. of Aviation/AP Admin. & Finance.
\$285,007.00
(Thru 12/31/21)
4. **Transmap Corporation – Service Agreement** – for Engineering Services for Pavement Inventory Summary and Software for City of Dayton Streets – Dept. of Public Works/Civil Engineering.
\$158,284.49
(Thru 12/2018)
5. **Wright Brothers Aero, Inc. – Contract Modification** – for Second Amendment for Porter Services at the Dayton International Airport – Dept. of Aviation/AP Admin. & Finance.
\$105,325.80
(Thru 03/31/18)

B. Construction Contracts:

6. **Bladecutters, Inc. – Award of Contract** – for the Nuisance Abatement Program Residential Demolition I – 2017 (Open Market) – Dept. of Planning & Community Development/Housing Inspection. **\$158,875.00**
(Thru 12/31/18)
7. **Double Jay Construction, Inc. – Award of Contract** – for the Gettysburg Avenue Enhancements (6% DBE Participation Goal/8.5% DBE Participation Achieved) (Federal Transportation Enhancement Funds) – Dept. of Public Works/Civil Engineering. **\$343,818.00**
8. **Double Jay Construction, Inc. – Award of Contract** – for the Third Street Safety Improvements and Merchants Row TE (5% DBE Participation Goal/5.03% DBE Participation Achieved) (ODOT Safety and Transportation Enhancement Funds) – Dept. of Public Works/Civil Engineering. **\$550,538.00**

E. Other – Contributions, Etc.:

9. **Airport Council International – North America – Other** – for the Annual ACI-NA Membership – Dept. of Aviation/AP Admin. & Finance. **\$29,875.00**

CITIZENS' COMMENTS ON CALENDAR ITEMS

There were no citizen's comments on calendar items.

DISCUSSION OF CALENDAR ITEMS

Calendar Item No. 4- Transmap Corporation-Service Agreement

Ms. Dickstein invited Director of Public Works, Mr. Fred Stovall, to the podium to highlight Calendar Item No. 4, a Service Agreement with Transmap Corporation. Mr. Stovall reported that this will be the third time that the City has engaged in mapping the streets throughout the City. Using Issue 9 funding, the City will map all of the streets, establishing an accurate benchmark for the condition of the streets and aiding in the efforts to plan for resurfacing.

Commissioner Joseph asked if there was a target number for the level of the streets. Mr. Stovall responded that there is not an exact target planned, but rather improvement overall.

Commissioner Mims asked Mr. Stovall to explain how the roads become damaged. Mr. Stovall responded that deterioration of streets is inevitable but the freezing and thawing of streets is very damaging to the pavement. The City does not use steel snow plow blades on residential streets, but rather rubber blades. Steel blades are only used on the highways. The City will also begin doing preventative maintenance on the newly paved streets to ensure that the investment made in resurfacing lasts longer.

Mayor Whaley commented that she would like to see the data regarding spending around this project be available to the public through Dayton Open Data.

Calendar Item No. 6- Bladecutters, Inc.- Award of Contract

Ms. Dickstein invited Director of Planning and Community Development, Mr. Aaron Sorrell, to come to the podium to highlight Calendar Item No. 6, and award of contract with Bladecutters, Inc. Mr. Sorrell reported that this is one of two contracts for demolition this year, and the contract is for the removal of ten fire-damaged residential structures. The City changed the bidding process so that contractors bid on the exact addresses to be demolished, allowing the City to save money because the process is more exact. Mr. Sorrell also reported that the second contract will be for the demolition of several vacant and abandoned properties that have been problematic for the City for years. Approximately 400 properties were demolished last year and approximately the same number should be demolished this year.

Calendar Item No. 7-Double Jay Construction, Inc.-Award of Contract

Ms. Dickstein invited Mr. Keith Steeber, Acting Chief Civil Engineer, to the podium to highlight Calendar Item No. 7, an award of contract with-Double Jay Construction, Inc. Award of Contract. This contract will provide pedestrian amenities on Gettysburg in the area of the Hoover Avenue business district, from Kammer to Fairbanks, as part of the West Dayton Development Strategy Area. It provides pedestrian lighting, benches, and other enhancements by leveraging private dollars as well as public dollars. Citizens have been involved in the

planning process and Sugarcreek has contributed financially to the project, specifically for lighting to extend onto their property.

Emergency Ordinance No. 31555-17-Authorizing the Acceptance of the Montgomery County Fairgrounds Property for the Purposes of Redevelopment

Mayor Whaley invited Mr. Tom Duncan, Chief Financial Officer for Premier Health and Dr. Eric Spina, President of the University of Dayton, to the podium to highlight the ordinance. Mr. Duncan thanked the City for this opportunity and reported that Premier is excited to work with community partners to improve the southern gateway to the City by redeveloping the fairgrounds property. Dr. Spina stated that the University of Dayton is proud to be a member of this community and thanked the City for their help in establishing this agreement and developing this project.

Commissioner Joseph thanked both speakers and commented on the changes, even in the time since he was a student at UD, in the neighborhood surrounding the University, and the positive influence that the university has had on the area.

Commissioner Williams echoed Commissioner Joseph's comments. Commissioner Mims congratulated both speakers and Jefferson Township for their recent announcement as the new home of the fairgrounds.

Mayor Whaley thanked Mr. Duncan and Dr. Spina and commented that she, and the City Commission, look forward to continuing to work together.

Informal Resolution No. 933-17- Accepting the 2017 Recommendation of the Tax Incentive Review Council

Mayor Whaley commented that she participated in the annual meeting at the County Auditor's Office and that more properties are in compliance with tax obligations. Additionally, the Ball Park Village site is now off of the delinquent tax rolls, as CareSource has purchased that building. She also thanked all of the employees of the City for their hard work on this project.

APPROVAL OF CITY MANAGER'S RECOMMENDATIONS

Commissioner Mims made the motion to approve the City Manager's Reports. Commissioner Williams seconded the motion. The City Manager's Reports were approved with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw.

LEGISLATION

RESOLUTION-FIRST READING

Resolution No. 6240-17- Approving and Supporting the Designation of U.S. Bicycle Route 25 through the City of Dayton, Ohio.

INFORMAL RESOLUTION

Informal Resolution No. 933-17- Accepting the 2017 Recommendation of the Tax Incentive Review Council.

Commissioner Shaw made a motion to adopt Informal Resolution No. 933-17. Commissioner Joseph seconded the motion. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw. This item was added.

THIS ITEM WAS ADDED

EMERGENCY ORDINANCE-FIRST AND SECOND READING

Emergency Ordinance No. 31555-17- Authorizing the Acceptance of the Montgomery County Fairgrounds Property, and Subsequent Disposition Thereof for the Purposes of Redevelopment; and Declaring an Emergency.

Commissioner Williams moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Mims seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw. The question being shall Emergency Ordinance No. 31555-17 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims, and Shaw. The Emergency Ordinance was passed.

CITIZENS' COMMENTS

Citizens' comments were received from the following:

1. **Ms. Diana Page, 600 Kammer Ave.** –had concerns about the RTA renovation in her neighborhood, Westwood.

COMMENTS BY THE CITY MANAGER

The City Manager, Ms. Shelley Dickstein, had no closing comments.

COMMENTS BY THE CLERK OF COMMISSION

The Clerk of Commission, Ms. Rashella Lavender, had no closing comments.

COMMENTS BY CITY COMMISSION

Commissioner Mims

Commissioner Mims noted his participation in a program sponsored by the Human Relations Council on police and the media and commended the organizers for their hard work on a successful event. He also noted an event at 10 a.m. until noon in which a panel would discuss the issues facing youth in West Dayton, in partnership with Wright State University. Commissioner Mims also attended an event over the weekend with ROTC.

Commissioner Joseph

Commissioner Joseph highlighted the contributions of Lieutenant Colonel Mark Ecton for his work on the panel and his candid remarks about the challenges of police recruitment.

Commissioner Shaw

Commissioner Shaw commented about the plans for the opening of Gem City Market and his excitement about that potential asset in the community.

Commissioner Williams

Commissioner Williams thanked Mr. Michael Wilson, Legislative Aide, for his hard work in coordinating the event at Sinclair Community College around police and the media. He also noted his attendance at the Community Police Council Listening Tour event, and the success of that event. He thanked the Police Department for their role in that program. Additionally, Commissioner Williams congratulated Mr. Bryan Stewart, Legislative Aide, on the Longest Table event that he organized at the University of Dayton.

Mayor Whaley

Mayor Whaley commented that she and the City Manager, Ms. Shelley Dickstein, participated in the dedication of a historical marker for Ms. Charity Earley through the Dayton Regional STEM School. She also remarked that March 21st was Mayor Immigration Day of Action and that the City highlighted the story of Commissioner Joseph and his family. The Justice Committee was also announced on Tuesday, and Mayor Whaley thanked all of the applicants for their interest. She thanked Commissioner Foley and Sherriff Plummer for their leadership in compiling this committee.

EXECUTIVE SESSION

At 9:11 a.m., Commissioner Shaw made a motion to convene into an Executive Session to discuss economic development in order to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project. Commissioner Joseph seconded the motion. The motion was unanimously approved.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw were present.

RECONVENE

At 10:30 a.m., Commissioner Joseph made a motion to reconvene from Executive Session and to continue with the meeting. Commissioner Shaw seconded the motion. The motion was unanimously approved.

ROLL CALL

Roll call was taken and Mayor Whaley, Commissioners Joseph and Shaw were present.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:31 a.m.

Mayor Nan Whaley

Attest: _____
Clerk of Commission